

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00294

Jason Robert Bourque,
Petitioner,

v.

Director, TDCJ-CID,
Defendant.

O R D E R

Petitioner Jason Bourque, an inmate at the Texas Department of Criminal Justice's Michael Unit, proceeding pro se, filed this habeas action under 28 U.S.C. § 2254. The case was referred to United States Magistrate Judge John D. Love. On August 28, 2023, the magistrate judge issued a report recommending that petitioner's federal habeas petition be dismissed with prejudice. Doc. 7. The magistrate judge further recommended that a certificate of appealability be denied *sua sponte*. *Id.* Petitioner acknowledged receipt of the report and recommendation on September 8, 2023, but did not file objections to the report.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Petitioner's federal habeas petition is dismissed with prejudice. Petitioner is denied a certificate of appealability *sua sponte*. All motions pending in this action are denied.

So ordered by the court on October 23, 2023.



J. CAMPBELL BARKER
United States District Judge